

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Title: CONCAVITY OF AN IMPLANTABLE MEDICAL DEVICE

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CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on January 3, 2008.

By: 

Name: Patricia Cygan

Mail Stop Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450

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Dear Sir:

The owner of record of a 100 percent interest in the above-identified application, Medtronic, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the term of prior U.S. Patent Nos. 7,212,864 and 7,242,982. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

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shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certification, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Date: January 3, 2008

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